



CONSERVATION COMMISSION  
70 EAST MAIN STREET  
NORTON, MASSACHUSETTS 02766-2320  
(508) 285-0275  
Fax (508) 285-3300

Monday, November 22, 1999  
7:30 pm

RECEIVED  
DEC 14 1999  
NORTON TOWN CLERK

**Attendance**

Patrick Corcoran (Chairman), Jeff Houde (Vice-Chairman),  
Ed Breault, Leonard Silvia, Bob Medeiros, Julian Kadish,  
Jennifer Carlino, Director

Dana Rappaneau was absent

**Minutes**

The members reviewed the draft minutes of **November 8, 1999**. Leonard Silvia made a motion, seconded by Bob Medeiros, to accept the minutes. Approved.

The members reviewed the Bills Payable Sheet. Bob Medeiros made a motion, seconded by Ed Breault, to pay the bills. Approved.

**Flatley Company** – Discussion of Enforcement Order. Rick Ellis, the Company Engineer for the Flatley Company, Tim Toomey, Director of Construction and Joe McFarland, Project Director were present at the public meeting. Mr. Ellis explained what has been done to date under the original Order of Conditions and also described the violation at wetland area E. Mr. Ellis stated that he had hired a surveyor to re-survey the property to check the wetland boundary lines that were established by the original surveyor. According to Mr. Ellis, the first surveyor hired for this project was not accurate enough. Area E seemed to have the greatest discrepancies on it. Approximately 62,500 sq. ft. of property had been mistakenly filled. Mr. Ellis stated that the Flatley Company would certainly do their best to correct this situation and mentioned a few ways that this could be done. Julian Kadish stated that this project should be carried out as closely to the original Order of Conditions as possible. Julian Kadish asked the Director, Jennifer Carlino what her recommendation was to correct this problem. The Director stated that the fill should be removed or an area of the same size be replicated according the present regulations. Jeff Houde stated that the best way to correct the situation would be to remove the fill from the areas that are in violation of the Orders. It was the consensus of the Commission to remove the fill from area E to best meet the the original Order of Conditions. Bob Medeiros again asked the Director her opinion of the situation and she stated that removing the fill at area E or I would be acceptable to her. Bob Medeiros made a motion, seconded by Jeff Houde, to continue discussion of this project until the next meeting of Monday, December 13<sup>th</sup> at 7:40 pm, after the site has been walked with Jennifer Carlino and the members. Approved.



**Norton Conservation Commission**

**Monday, November 22, 1999**

**Page 2**

The members reviewed a Notice of Intent – **Gregory Mills – parcels 168, 170 & 175-01 (assessors map 4) Newcomb Street – (continued from the 9/28/99, 10/12/99 & 10/25/99 meetings)** - for proposed plans to construct a subdivision roadway with associated infrastructure, stormwater management system, site grading and utilities within the buffer zone of a bordering vegetated wetland. A letter sent by LEC Environmental requesting a continuance of this project until the December 13<sup>th</sup> meeting was read to the Commission by Patrick Corcoran. The purpose of the continuance was to allow final project review of the Planning Board. Jeff Houde made a motion, seconded by Leonard Silvia, to continue the project until the December 13<sup>th</sup> meeting at 7:50 pm. Approved.

The members reviewed a Notice of Intent – **Town of Norton, Highway Department – Pine Street – (con't. from the 10/25/99 & 11/8/99 mtgs.)** - to hear the proposal to replace a stone culvert on Pine Street with a 30" concrete pipe within the riverfront area of Dora Brook. (post facto) Keith Silver, Highway Superintendent, was present at the public hearing and updated the Commission on the project. The Director inspected the area. No abutters were present at the public hearing. Jeff Houde made a motion, seconded by Bob Medeiros, to close the public hearing. Approved. Jeff Houde made a motion, seconded by Julian Kadish, to approve the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **Town of Norton, Highway Department – Lincoln Street – (con't. from the 10/25/99 & 11/8/99 mtgs.)** - to hear a proposal to replace a stone culvert on Lincoln Street with a 12" concrete pipe and also to install 5 catch basins with 500' of concrete pipe to alleviate drainage problems with 100 feet of wetlands and an intermittent stream. (post facto) Keith Silver, Highway Superintendent, was present at the public hearing and updated the Commission on the project. The Director inspected the project. Jeff Houde made a motion, seconded by Bob Medeiros, to close the public hearing. Approved. Jeff Houde made a motion, seconded by Julian Kadish, to accept the Order of Conditions as written. Approved.

The members reviewed a Request for a Determination of Applicability – **L & M Custom Bldrs., Inc. – parcel 5 (assessors map 1) – 144 Newland Street** – for wetland line confirmation for the isolated wetland on Lot 3. A letter received by Ralph Maloon of RIM Engineering was read to the Commission by Patrick Corcoran. Mr. Maloon stated that he would not be at the public meeting tonight and that the request is only for confirmation of the wetland lines only and that he is aware that a Notice of Intent would have to be filed for this project. Jennifer Carlino stated that she had walked the property and that the boundary is accurate. Julian Kadish asked if a Request for a Determination of Applicability (RDA) is appropriate for wetland line verification. Jennifer Carlino stated that new forms issued by the state were being used and increased the filing fee. The RDA form states specifically what type of request was being made and the Commission must act within the 21 days. Abutters had questions regarding the request that was under review and again the Director stated that this request was only for the wetland line confirmation and that any work to be done within wetlands in the future would require a new filing. Jeff Houde made a motion, seconded by Leonard Silvia, to close the public meeting. Approved. Jeff Houde made a motion, seconded by Julian Kadish, to issue a positive Determination of Applicability. Approved.

The members reviewed a Notice of Intent – **Plymouth Bay Girl Scout Council – parcel 47 (assessors map 21) – North Worcester Street** – for proposed plans to remove vegetation in a small portion of the Wading riverbed during the Springtime of each year. Removal is accomplished by means of a mechanical device. Tenney Lantz represented the Scouts and described how the river would be dredged for continued use of the swimming area. Members reviewed the Conditions and approved them. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public hearing.

**Norton Conservation Commission**  
**Monday, November 8, 1999**  
**Minutes, page 3**

Approved. Bob Medeiros made a motion, seconded by Jeff Houde, to accept the Order of Conditions as written. Approved.

The members reviewed a Request for a Determination of Applicability – **Mammoth Acquisition Company, LCC – lot 35-1 (assessors map 23 NP) 33 West Main Street** – for proposed construction of a stormwater management system. Brian Murphy of VHB (Vanasse Hangen Brustlin, Inc.) represented the applicant at the public meeting. The Director stated that the basin must be stabilized before parking lot drainage is allowed to enter it.

Bob Medeiros made a motion, seconded by Jeff Houde, to close the public meeting. Approved. Jeff Houde made a motion, seconded by Jeff Houde to issue a negative Determination of Applicability. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Welch Bldg. Corp. – lot 1, parcel 327 (assessors map 4) 2 Keith Drive (DET. #565)**. The Director inspected the property and it was stabilized. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue the full Certificate of Compliance. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Welch Bldg. Corp. – lot 2, parcel 328 (assessors map 4) 4 Keith Drive (DET. #566)**. The property was inspected by the Director. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue the full Certificate of Compliance. Approved.

Donation of Land by **Robert Medeiros – Conservation Restriction #20 – 32.44 acres – parcel 1 (assessors map 14)**. The Conservation Commission holds the restriction on this property so it cannot own the land. The Director suggested that Mr. Medeiros donate the land to the Land Preservation Society.

Bob Medeiros made a motion, seconded by Leonard Silvia, to adjourn the meeting at 8:45 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director

JC/pmb